

definition of "county". However, Baltimore City is covered in subsection (c)(1)(i)2 of this section.

In subsection (d)(2) of this section, the reference to the State Fire Marshal or a full-time investigative and inspection assistant in the Office of the State Fire Marshal who "participates in a joint investigation with officials from another State, federal, or local law enforcement unit" is substituted for the former reference to a police officer who is "acting under the authority granted in paragraph (3)(i)1 of this subsection" for specificity and to eliminate an unnecessary cross-reference.

In the introductory language of subsection (d) of this section, the reference to the State Fire Marshal or a full-time investigative and inspection assistant in the Office of the State Fire Marshal who "acts" under the authority granted by this section is substituted for the former reference to a police officer who "uses" that authority for consistency with language used throughout this section.

As for authority granted to the State Police, *see* Art. 88B, § 4.

As for the substitution of the term "unit" for the former reference to "agency", *see* General Revisor's Note to article.

Former Art. 27, § 594B(i)(3), which stated that the State Fire Marshal or a certain assistant does not have certain arrest powers, except as provided in subsection (l)(7) [the correct cross-reference to (m)(7)(i)], is deleted as unnecessary. Subsection (c) of this section revises former subsection (m)(7)(i). The fact that the State Fire Marshal or a certain assistant does not have certain arrest powers absent the conditions stated in subsection (c) of this section is implicit in this revision.

Former Art. 27, § 594B(m)(7)(ii), which stated that the powers of arrest established in former subsection (m)(7)(i) are in addition to the powers of arrest established under former § 594B(i), is deleted as implicit in this revised section, which contains the provisions of both former subsection (m)(7)(i) and subsection (i).

The Criminal Procedure Article Review Committee notes, for consideration by the General Assembly, that the General Assembly may wish to extend the authority of the State Fire Marshal and investigative and inspection assistants under this section to include the making of warrantless arrests if there is probable cause to believe that there has been murder committed in perpetration of arson under Art. 27, § 408 or murder committed in perpetration of any murder under Art. 27, § 409 (murder in a burning barn, tobacco house, etc.).

Defined terms: "County" § 1-101

"Person" § 1-101

"Police officer" § 2-101